

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
October 22-26, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
10-22	EX	75/676,473	RiverRock Systems, Ltd.	Walters* Chapman Rogers	2(d)	Refusal Affirmed		"RIVERROCK RADIX" [computer software and hardware for providing telecommunications operations support, namely, customer care, billing, rating, and provisioning functions]	"RADIX CORPORATION" (and design) [designing and preparation of computer programs and the implementation and maintenance of computer systems]; "RADIX" (and design) <i>and</i> "RADIX CORPORATION" (and design) [both marks for computers, computer peripherals, computer operating programs, computer utility programs, computer programs for use in encoding, transmitting and processing data from remote locations, printers, optical character readers, bar code scanners, couplers, multiplexers, telephone modems, and interface cables]	Faint	No
10-22	EX EX	75/665,489 75/665,491	Mars, Inc.	Seeherman Chapman* Holtzman	2(e)(4)	Refusal Reversed (in both applications)		"KENMAN" <i>and</i> "KENMAN" (and design) [both marks for confectionary, namely, candy]		Spruill	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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10-22	EX EX EX EX EX	74/268,570 74/542,523 74/542,378 74/542,379 74/551,280	Healthcare Manage-ment Advisors, Inc.	Quinn Walters Holtzman*	2(d)	Refusal Reversed (in all five cases)		“HMA” [financial consulting services in the healthcare field related to coding medical diagnoses and procedures, claim submissions, medical records documentation, etc.]; “HMA PROFIT” [newsletter in the fields of healthcare financial management and reimbursement]; “HMA REMEDY” [newsletter in the fields of healthcare information management, medical records, quality assurance and utilization]; “HMA NEWSFAX” [newsletter transmitted directly to healthcare professionals in the fields of financial management and medical records]; and “HMA” (and design) [prerecorded videotapes in the field of healthcare management and medical records and instructional manuals, all sold as a unit; consulting services in the healthcare field related to the coding medical diagnoses and procedures, etc.; educational seminars in the field of healthcare management and medical records]	“HMA” (in design format) [management and business consulting services and processing services rendered to the health care industry, focusing on benefits, health care providers, managed health care plans and self-funded health and welfare plans]	Seegars and I. Williams	No

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10-22	EX	75/545,233	Tourneau, Inc.	Hohein Hairston* Bottorff	whether the mark in applicant's drawing is a "substantially exact representation" of the mark shown in applicant's specimens of use]	Refusal Reversed		"TOURNEAU CERTIFIED PRE-OWNED" (and design) [distributorship services in the field of watches]		Pino	No
10-22	EX	75/620,714	Baldwin Hardware Corp.	Seeherman Bottorff* Rogers	2(e)(4)	Refusal Affirmed		"FENWICK" [metal door hardware, namely, locks, latches, handles, knobs and levers]		Yard	No
10-22	EX	75/621,184	Compagnie Gervais Danone	Chapman Bucher Rogers*	whether applicant's packaging design is inherently distinctive	Refusal Affirmed		configuration of applicant's product packaging (i.e., a bottle configuration) [a wide variety of goods, including a wide range of dietary food supplements, fruits and vegetables, dairy products, beverages, etc.]		Bell	No
10-24	CANC	25,095	Kenra, Inc. v. Belt Distributors, Inc.	Seeherman* Bucher Holtzman	2(d); affirmative defenses of laches, acquiescence, and estoppel	Petition to Cancel Granted	"KENRA" and other marks incorporating the word "KENRA" [hair care preparations]	"KENYA" [non-medicated hair care preparations for retail, over-the-counter sale to the ethnic hair care market only]			No

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10-24	EX	75/683,773	xSides Corp.	Simms Hairston Bucher*	2(d)	Refusal Affirmed		“SIDES” [computer operating software and utilities for providing graphical user interfaces; computer software system for accessing computers, software, databases, communications services, etc.; computer software for conducting and managing financial and commercial transactions; computer software for transmitting and receiving data, text, graphics, and images; computer software for browsing, searching, messaging and other communications with computer networks]	“SIDE” (and design) [computer peripherals, namely, multimedia cards]	Steplight	No

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